

ERL Maintenance Support Sdn Bhd

(Company No. 498574-T)

MEMORANDUM

To: All USERS of E-MAS subcontract	Originator:	Sukhbir Singh / Nauwalah
	Department:	SAS / FIN
	Tel:	+(60) 3-2267-7649
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	E-mail:	Nauwalah@KLIAekspres.com

Reference Number:
OMA.STF.M14500.1001.A (#132524)

Date:
20 Oct 2016

<input type="checkbox"/> Urgent	<input type="checkbox"/> Review	<input type="checkbox"/> Comment	<input type="checkbox"/> Reply	<input type="checkbox"/> Retain
<input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> Info	<input type="checkbox"/> Note	<input type="checkbox"/> Call me	<input type="checkbox"/> Sign & Return

Attachment(s): None As listed below

Foreign Workers under E-MAS subcontract

The above matter refers.

Please be informed there are a series of incidents where foreign workers had been caught by enforcement authority with the reason no valid working permits. Please take note that E-MAS views these incidents as a serious matter.

Under the *Clause 55E, Act 155, Immigration Act 1959/63* is stated:

- (1) *No occupier shall permit any illegal immigrant to enter or remain at any premises.*
- (2) *An occupier who contravenes subsection (1) shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than five thousand ringgit and not more than thirty thousand ringgit or to imprisonment for a term not exceeding twelve months or to both for each illegal immigrant found at the premises and, in the case of a second or subsequent conviction, to a fine of not less than ten thousand ringgit and not more than sixty thousand ringgit or to imprisonment for a term not exceeding two years or to both for each illegal immigrant found at the premises.*

“occupier”, in relation to any premises, means any person having the charge, management or control of the premises;

“premises” includes—

- (a) *any land, building or part of any building;*
- (b) *any place whether open or enclosed;*
- (c) *any vehicle, vessel or aircraft;*
- (d) *any installation on land, offshore installation, or other installation whether on the bed of or floating on any water; and*
- (e) *any structure movable or immovable.*

In view to the above, for the renewal of the subcontractor contract, there will be additional clauses relating to foreign workers status and permits. In addition, the USER of the contract and HOD of respective departments shall monitor the status of subcontractor foreign workers by requesting copy of valid working permits from subcontractor. The USERS shall submit a copy of this permit during application of access card to SAS Department.



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The process will be the same if there is any movement/change of the workers come in and work at ERL-CRS System. It is to ensure that we have taken all reasonable measures to prevent any subcontractor illegal workers working within the premises.

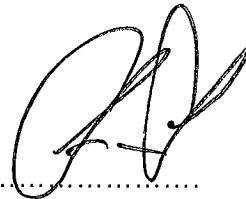
Your cooperation and commitment towards this action is highly appreciated..

Thank you.

Sincerely,



.....
Nauwalah Amat Mustakim
Head of Department, Finance



.....
Sukhbir Singh
Head of Department, Safety and Security



.....
Thomas Baake
Chief Executive Officer

Attachments:

1. Clause 55E, Act 155, Immigration Act 1959/63
2. Overview of subcontracts (Quality & Environmental Manual)

cc: OMQ

Defence

55C. It shall be a defence for any person prosecuted pursuant to subsection 55A(3), 55B(5) or 55E(6) if he proves—

- (a) that the offence was committed without his knowledge or connivance; or
- (b) that he—
 - (i) took all reasonable precaution; and
 - (ii) exercised all due diligence,

to prevent the commission of the offence as he ought to have taken and exercised having regard to the nature of his functions in that capacity and to all the circumstances.

Forgery or alteration of endorsement or document

55D. Any person who makes, forges or alters an endorsement or a document to be used as a visa, Permit, Pass or Certificate under this Act shall be guilty of an offence against this Act and shall, on conviction, be liable to a fine of not less than thirty thousand ringgit but not more than one hundred thousand ringgit and to imprisonment for a term of not less than five years but not more than ten years and shall also be punished with whipping of not more than six strokes.

Occupier not to permit illegal immigrant to enter or remain at premises

55E. (1) No occupier shall permit any illegal immigrant to enter or remain at any premises:

(2) An occupier who contravenes subsection (1) shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than five thousand ringgit and not more than thirty thousand ringgit or to imprisonment for a term not exceeding twelve months or to both for each illegal immigrant found at the premises and, in the case of a second or subsequent conviction, to a fine of not less than ten thousand ringgit and not more than sixty thousand ringgit or to imprisonment for a term not exceeding two years or to both for each illegal immigrant found at the premises.

(3) For the purposes of this section, it shall be presumed, unless the contrary is proved, that an occupier in the case where an illegal immigrant is found at the premises—

- (a) had permitted the illegal immigrant to enter or remain at the premises; and
- (b) had knowledge that he is an illegal immigrant.

(4) The presumptions in subsection (3) shall not be rebutted unless the occupier proves that he has taken all reasonable measures, including all prescribed measures, to prevent any illegal immigrant from entering or remaining at the premises.

(5) For the purpose of subsection (4), the Minister may by regulations prescribe the measures that are required to be taken by an occupier.

(6) Where the offence under subsection (1) has been committed by a body corporate, any person who at the time of the commission of the offence was a member of the board of directors, a manager, a secretary or a person holding an office or a position similar to that of manager or secretary of the body corporate shall be guilty of that offence and shall on conviction be liable to the same punishment to which the body corporate is liable under subsection (2).

(7) In this section, unless the context otherwise requires—

“illegal immigrant” means a person, other than a citizen, who contravenes section 5, 6, 8, 9 or 15 of this Act or regulation 39 of the Immigration Regulations 1963 [*F.L.N. 228/1963*];

“occupier”, in relation to any premises, means any person having the charge, management or control of the premises;

“premises” includes—

- (a) any land, building or part of any building;
- (b) any place whether open or enclosed;
- (c) any vehicle, vessel or aircraft;
- (d) any installation on land, offshore installation, or other installation whether on the bed of or floating on any water; and
- (e) any structure movable or immovable.

No	Contractor	Contract Person	Email	Contract for:	Responsible Department	Scope	DOCS Ref.	Termination	O&M Contract	Additional Service
1	MHE-Demag Logistic Malaysia Sdn Bhd	Mr Chia Chong Lin	chiaslin_chia@hbsdemas.com	Maintenance Inspection of Goods Hoist & Cranes	M23000 (SIG) M22000 (RST)	Maintenance Inspection for Goods Hoist at KL Sentral Maintenance Inspection for Cranes at Depot	G00.OMA.M14500.GB.1061.A (#128375)	1-Jul-15 30-Jun-17		X
2	Techno Controls Sdn Bhd (Formerly known as JCL Engineering Sdn Bhd)	Mr Abby Kong	abbotkong@tcl.com.my	Non-Comprehensive Maintenance of Building Monitoring System	M23000 (SIG) & M23200 (ELT)	Preventive Maintenance for Building Automation System, DDC Controllers and Modules, Workstation and Field Sensors. Train Interior Night Cleaning, Train Body Polishing, Track Vehicle Cleaning, Manual Train Washing.	G00.OMA.M14500.GB.1068.A (#129840)	1-Nov-15 31-Oct-16		X
3	Juwara Resources & Trading (M) Sdn Bhd	En Zainal Abidin Yadi	zainalabidin@juwara.com.my	Train Interior Night Cleaning And Track Vehicle Cleaning	M23000 (RST) & M23200 (ELT)	Train Interior Night Cleaning, Train Body Polishing, Track Vehicle Cleaning, Manual Train Washing.	G00.OMA.M14500.GB.1052.A (#128546)	1-Oct-14 30-Sep-16		X
4	Juwara Resources & Trading (M) Sdn Bhd	En Zainal Abidin Yadi	zainalabidin@juwara.com.my	Depot Cleaning	M22000 (RST)	Depot, Administration/Management Centre and TPSS Cleaning.	G00.OMA.M14500.GB.1051.A (#128547)	1-Oct-14 30-Sep-16		X
5	Antah Schindler Sdn Bhd	Mr Lee Kam Fatt	yan.lee@antah@ms.schindler.com	Standard Maintenance Agreement	M23000 (SIG)	Maintenance of 4 units Lifts and 6 units Escalators at KL Sentral.	G00.OMA.M14500.GB.1058.A (#128091)	1-May-15 30-Apr-18		X
6	Antah Schindler Sdn Bhd	Mr Wong Teng Chuan	wan.wong@antah@ms.schindler.com	Maintenance of Escalators	M23000 (SIG)	Maintenance of 2 units Escalators at Bandar Tasik Selatan.	G00.OMA.M14500.GB.1059.A (#128090)	1-May-15 30-Apr-18		X
7	YTL Power Services Sdn Bhd	Mr. I.Smajji	lsmajji@ytl.com	Oil Monitoring	M23200 (ELT) M22000 (RST)	Oil Monitoring Services for intake transformers at TPSS. Oil Monitoring Services for trains transformers	G00.OMA.M14500.GB.1065.A (#128015)	1-Sep-15 31-Aug-17		X
8	Record Automatic Doors (M) Sdn Bhd (Formerly known as Bizzy Door Automation Sdn Bhd)	Mr. Song Kheng Kuan / Ms Saroja Kanasan	kszoo@ramail.com	Maintenance of Automatic Sliding Doors	M23000 (SIG)	Maintenance of Automatic Sliding Doors (8 sets at KLS).	G00.OMA.M14500.GB.1048.A (#127186)	1-Jan-15 31-Dec-17		X
9	T.T Unimatic Sdn Bhd	Mr. Augustine Lee	augustina.lee@tt-unimatic.com	Troubleshooting And Rectification Work Of UPS System	M23000 (SIG)	Preventive Maintenance of UPS System.	G00.OMA.M14500.GB.1047.A (#128713)	1-Oct-14 30-Sep-17		X
10	Hifachi Elevator Engineering (Malaysia) Sdn. Bhd.	Pn Suzana Abd Karim	suzana@hifachi.com.my	Non-Comprehensive Maintenance of Lifts/Escalators	M23000 (SIG)	Maintenance of 2 units Lift & 2 units escalator at PJS.	G00.OMA.M14500.GB.1064.A (#128680)	1-Aug-15 31-Jul-17		X
11	G.L.P Electrical & Trading	Mr. P. Gopal / P. Inthiran	lthirats_ales@ghsco.com.my	Preventive Maintenance for Sewerage Treatment plant	M23000 (RST) M22000 (RST)	Maintenance of Sewerage Treatment Plants (STS). Maintenance of Sewerage Treatment Plants (Depot).	G00.OMA.M14500.GB.1053.A (#128906)	1-Nov-14 31-Oct-17		X
12	FA Frontliners Sdn Bhd	Mr. Ujanathan Kanagavelu	u_255@fbnco.com	Preventive Maintenance and Corrective Maintenance services for six units of radio system monopoles	M23000 (SIG)	Preventive Maintenance and Corrective Maintenance service for six units of radio system monopoles.	G00.OMA.M14500.GB.1057.A (#127660)	1-Apr-15 31-Mar-17		X
13	Current Line Engineering	Mr. Razali Ibrahim	razali@cleng.com.my	Contract for Maintenance of Switchgear & Related Systems at Kuala Lumpur Sentral Station	M23000 (SIG)	Maintenance of Switchgear & Related Systems at KLS.	G00.OMA.M14500.GB.1056.A (#127354)	1-Mar-15 28-Feb-17		X
14	Shanu Engineering Services	Ir. Gunasegaran Reddy	red@shanu.com.my	Electrical Supervision Services	M23200 (ELT)	Consultant for undertaking the Electrical Supervision Services as required by Energy Commission.	G00.OMA.M14500.GB.1055.A (#128682)	1-Oct-14 30-Sep-17		X
15	Shanu Engineering Services	Ir. Gunasegaran Reddy	red@shanu.com.my	Energy Manager Services	M23200 (ELT)	Consultant for undertaking the Energy Manager Services as required by Energy Commission.	G00.OMA.M14500.GB.1067.A (#129572)	1-Nov-15 31-Oct-16		X
16	Dover Elevators (Malaysia) Sdn Bhd	Mr. Poh Seng Lee	psl@dovert-elevators.com.my	Non-Comprehensive Maintenance For Lifts And Escalators	M23000 (SIG)	Maintenance of 4 units lifts and 3 units escalators at BTS & Maintenance of 3 units lifts and escalators at STS.	G00.OMA.M14500.GB.1049.A (#128608)	1-Oct-14 30-Sep-16		X